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June 29, 2012

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**RE: WC Docket No. 10-90  
2012 Annual Eligible Telecommunications Carrier Report  
United Telephone Mutual Aid Corporation and Turtle Mountain  
Communications, Inc.**

Dear Ms. Dortch:

John Staurulakis, Inc. respectfully files the enclosed 2012 annual eligible telecommunications carrier report on behalf of United Telephone Mutual Aid Corporation and Turtle Mountain Communications, Inc. pursuant to Section 54.313(a)(2) through (a)(6) of the Federal Communications Commission's rules (47 C.F.R. § 54.313) and as specified in the Public Notice released on May 8, 2012 (DA 12-729). Copies will also be provided to USAC and the relevant state commission.

Also attached is a letter requesting confidential treatment of the Company's ETC Annual Report under Section 0.459 of the Commission's rules, 47 C.F.R. § 0.459. Additionally, the document contains appropriate indications respecting confidentiality.

Please contact the undersigned if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Kuykendall'.

John Kuykendall, Vice President  
Authorized Representative for  
United Telephone Mutual Aid Corporation  
and Turtle Mountain Communications, Inc.

Enclosure

Echelon Building II, Suite 200  
9430 Research Blvd., Austin, TX 78759  
phone: 512-338-0473, fax: 512-346-0822

Eagandale Corporate Center, Suite 310  
1380 Corporate Center Curve, Eagan, MN 55121  
phone: 651-452-2660, fax: 651-452-1909

6849 Peachtree Dunwoody Road  
Bldg. B-3, Suite 200, Atlanta, GA 30328  
phone: 770-569-2105, fax: 770-410-1608

547 South Oakview Lane  
Bountiful, UT 84010  
phone: 801-294-4576, fax: 801-294-5124



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June 29, 2012

**By Hand Delivery**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**RE: WC Docket No. 10-90  
2012 Annual Eligible Telecommunications Carrier Report  
Pursuant to Section 54.313(a)(2) through (a)(6)  
United Telephone Mutual Aid Corporation and Turtle Mountain Communications,  
Inc. Request for Confidentiality**

Dear Ms. Dortch:

John Staurulakis, Inc. ("JSI"), on behalf of its client, United Telephone Mutual Aid Corporation and Turtle Mountain Communications, Inc. (the "Company"), hereby requests, pursuant to Section 0.459 of the Commission's rules,<sup>1</sup> withholding from public inspection the attached document which is an attachment to the report submitted in fulfillment of the above-referenced reporting requirement. The Company provides the following in support of its request, numbered consistent with the subparagraphs of Section 0.459(b).<sup>2</sup>

1. The information for which the Company is seeking confidential treatment is an attachment to the Company's annual reporting information of United Telephone Mutual Aid Corporation and Turtle Mountain Communications, Inc. pursuant to Section 54.313(a)(2) through (a)(6) ("Report").
2. Eligible Telecommunications Carriers ("ETCs") must file with the Commission the reporting information which is contained in the attachment to the Report pursuant to Section 54.313(a)(2) through (a)(6) of the Commission's rules and as specified in the May 8, 2012 Public Notice.<sup>3</sup>

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<sup>1</sup> 47 C.F.R. § 0.459.

<sup>2</sup> 47 C.F.R. § 0.459(b)(1) through (9).

<sup>3</sup> 47 C.F.R. § 54.313. See *Wireline Competition Bureau Announces Filing Deadline of July 2, 2012, for Eligible Telecommunications Carriers to File Reports Pursuant to Section 54.313(a)(2) through (a)(6) and (h) of the Commission's Rules*, DA 12-729 (rel. May 8, 2012) ("May 8, 2012 Public Notice").


Marlene H. Dortch, Secretary

June 29, 2012

3. The information contained in the attachment to the Report for which the Company seeks the withholding from public inspection is data pertaining to the Company's outage. Information of this nature is confidential commercial information routinely withheld from public inspection.
4. With respect to identifying the degree to which the attachment concerns a service that is subject to competition, the information pertains to the network and operations of a telecommunications company that has competitors that could benefit if they were able to have access to this information.
5. With respect to identifying possible exposure to competitive harm, the information contained in the attachment is information that is not customarily released to the public. Because the telecommunications market is highly competitive, release of this information could substantially harm the Company's telecommunications business.
6. With respect to steps the Company has taken to ensure against unauthorized disclosure of the information contained in the attachment, the Company is filing the attachment under seal. The attachment has also been filed with the North Dakota Public Service Commission under seal.
7. Any previous versions of this information are not publicly available.
8. Because the information is not routinely available, a need exists for maintaining the confidentiality of this information permanently.
9. The Commission has previously concluded that there is a presumptive likelihood of substantial competitive harm from disclosure of outage information.<sup>4</sup> The Commission also determined the disclosure of outage reporting information to the public could present an unacceptable risk of more effective terrorist activity and could therefore result in potential harm to the public and the national defense.

Based on the preceding, JSI respectfully requests on behalf of the Company that the Commission grant confidential treatment under Section 0.459 to the attachment which is marked "Confidential-Not for Public Inspection. Please contact the undersigned with any questions regarding this request.

Sincerely,



John Kuykendall

JSI Vice President

301-459-7590

[jkuykendall@jsitel.com](mailto:jkuykendall@jsitel.com)

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<sup>4</sup> See *In the Matter of New Part 4 of the Commission's Rules Concerning Disruptions to Communications*, ET Docket No. 04-35, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 04-188, rel. Aug. 19, 2004, para. 45.

**Annual Reporting Requirements pursuant to § 54.313(a)(2)-(6)**

**WC Docket No. 10-90**

**§ 54.313(a)(2) – Outage reporting**

☐ My company was not required to collect this information in 2011.

☒ My company collected this information pursuant to state utility commission requirement.  
A copy of the report is attached.

**§ 54.313(a)(3) – Unfulfilled service requests**

☐ My company was not required to collect this information in 2011.

☒ My company collected this information pursuant to state utility commission requirement.  
A copy of the report is attached.

**§ 54.313(a)(4) – Customer complaints per 1000 connections**

☐ My company was not required to collect this information in 2011.

☒ My company collected this information pursuant to state utility commission requirement.  
A copy of the report is attached.

**§ 54.313(a)(5) – Service quality standards and consumer protection rules**

I certify that the reporting carrier is in compliance with applicable service quality standards and consumer protection rules.

**§ 54.313(a)(6) – Ability to function in emergency situations**

I certify that the reporting carrier can function in emergency situations as set forth in 47 CFR §54.202(a)(2). Specifically, the reporting carrier has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.

I am authorized to make this certification on behalf of the company named above and, to the best of my knowledge the information reported on this form is accurate. This certification is for the study area(s) listed below. **(Please enter your Company Name, State and Study Area Code)**

Company Name	State	Study Area Code
United Telephone Mutual Aid Corporation	ND	381636
Turtle Mountain Communications, Inc.	ND	381636

(If necessary, attach a separate list of additional study areas and check this box.)

☐

Signed,

  
\_\_\_\_\_  
[Signature of Corporate Officer]

Date: 6/30/2012

**Perry Oster**  
\_\_\_\_\_

[Printed Name of Corporate Officer]

**Secretary/Treasurer**  
\_\_\_\_\_

[Title of Corporate Officer]

Carrier's Name United Telephone Mutual Aid Corporation/Turtle Mountain Communications, Inc.

Carrier's Address PO Box 729

Carrier's Telephone Number (701) 256-5156

3. The number of requests for service from potential customers within the designated service area that were unfilled in the past year was 0.

The ways in which the Company attempted to provide services to these potential customers are, as follows:

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4. The number of complaints per one thousand handsets or lines was 0.

Company Name UNITED TELEPHONE MUTUAL AID CORP.  
TURTLE MOUNTAIN COMMUNICATIONS, INC.



2. **Outages.** Detailed information of any outages, as that term is defined in 47 C.F.R. § 45, of at least thirty (30) minutes in duration of each designated service area for any facility which the Company owns, operates, leases, or otherwise utilizes that potentially affect:
- a. At least ten percent (10%) of the end users served in a designated service area, or
  - b. A 911 special facility, as defined in 47 C.F.R. § 45(e).

Date and Time of Onset	Brief Description of Outage and Resolution of Outage	Particular Services Affected	Geographic Area Affected By Outage	Steps Taken to Prevent Similar Outages in the Future	Number of Customers Affected

(If any FCC outage reports were filed showing this information, they may be attached instead.)

United Telephone Mutual Aid Corp.  
Company Name Turtle Mountain Communications